

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK**

**CHAMBERS RULES RE ADJOURNMENTS OF CASES
ASSIGNED TO THE DOCKET OF
THE HON. STAN BERNSTEIN
(effective as of February 9, 2004)**

1. Motions. Except as noted below, calendared matters may be adjourned by the moving party by calling the Courtroom Deputy (but not the Law Clerk) provided that (i) all parties have been advised of and consent to the adjournment, (ii) the matter has not been previously adjourned more than twice, and (iii) the adjournment is requested no later than noon on the business day before the scheduled calendared event. An appearance is required whenever a party is unable to satisfy these requirements. No telephone requests for an adjournment will be accepted on the day of the hearing. Requests for adjournments of matters previously adjourned two or more times must be made on application to the Court and will be granted only upon a showing of good cause. All adjournments must be confirmed by the requesting party in writing to all affected parties, with a copy to the Court, immediately following the grant of the adjournment. *Failure to comply with this rule may result in the matter being marked off the calendar, in which event it may only be restored for cause shown upon written application to the Court on notice to all relevant parties.*

a. **Notice to all creditors.** A hearing on any motion or application, notice of which was given to all creditors, may not be adjourned without an appearance in Court on the first date for which it is scheduled.

b. **Objections to Claims (Chapter 13 cases).** A hearing on a motion to reduce, disallow or reclassify one or more claims in a Chapter 13 case cannot be adjourned to a date later than one week before the scheduled confirmation hearing without the consent of the Chapter 13 Trustee.

2. Pre-Trial Conferences. Pre-trial conferences may be adjourned upon the same showing required with respect to motions, with one exception: if a party has been served with the summons and complaint but has not filed an answer or response before the first pre-trial conference, it cannot be adjourned without an appearance in Court on the date of the scheduled conference.

3. Trials. Trials scheduled by the Court are for dates certain. No adjournments will be permitted except upon prior application on notice to all parties in interest and to the Court and only upon a showing of good cause. With respect to any trial that is scheduled to run for more than one day, the application must be filed no later than three business days of the scheduled trial date. If the trial is scheduled for one day or less, the application must be filed no later than one business day of the scheduled trial date. Any unexcused failure of counsel or counsel's client or principal to appear at trial may result in the imposition of sanctions.